

Commonwealth of Massachusetts



Cannabis Industry Sub-Committee Kick-off Meeting

October 16, 2017



Agenda



- Call to order
- Roll call
- Topics for discussion:
 - Format for sub-committee meetings
 - Schedule for on-going sub-committee meetings
 - Taking of notes
 - Discussion of Issues for Draft Regulations
 - Other business
- Adjournment



“There is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things...”

~ Niccolo Machiavelli



Our Mission



To make recommendations regarding cultivation, processing, manufacturing, transportation, distribution, seed-to-sale tracking and market stability



Format for sub-committee meetings



- **Reminder that Subcommittee is subject to Open Meeting law**
 - **Notices of meetings will be published in advance**
 - **Minutes of meetings will be maintained and approved by vote**
 - **Meeting will be audio recorded for purposes of crafting minutes and recording erased after approval of minutes**
- **Substantive discussions among Subcommittee members must occur during Subcommittee meetings**
- **Subcommittee materials are considered public records**
- **Members of the public may speak at meetings only upon invitation of the Chair**
 - **Subcommittee will discuss processes for receiving written or oral comments from the public on particular subjects**



Issues for Consideration



- Four groupings of questions to be answered
 - Licensing, Registration, and Manufacturing
 - Seed-to-Sale Tracking and Tier Measurement
 - Social Consumptions Recommendations
 - Packaging
- Timeline
 - Recommendations to be completed by November 30
 - Weekly Checkpoints: TBD



Licensing, Registration, and Manufacturing



- The legislation calls for virtual separation of medical and adult use marijuana – how should this be done?
- The legislation prohibits individuals under 21 being allowed on the premises of a Retail Marijuana Establishment, but how will registered qualifying patients over 18 but under 21 have access to medication?
- What energy and environmental standards for licensure and licensure renewal of marijuana establishments licensed as a marijuana cultivator or marijuana product manufacturer does the subcommittee recommend?
- What standards for manufacturing or extracting cannabinoid oils or butane hash oil does the subcommittee recommend?



Licensing, Registration, and Manufacturing, continued



- The law allows the licensing of ancillary businesses, such as marijuana distributors, marijuana storage and marijuana transportation.
 - What recommendations do you have regarding the regulations of these ancillary businesses and are there other ancillary businesses that should be considered?
- What training requirements should there be for marijuana establishment employees?
 - The law requires qualifications for licensure and minimum standards for employment that are directly and demonstrably related to the operation of a marijuana establishment and similar to qualifications for licensure and employment standards in connection with alcoholic beverages as regulated under chapter 138 of the General Laws



Seed-to-Sale Tracking and Tier Measurement



- What measurement should be used for the tiers: Number of plants, canopy, or another measurement? What are the pros/cons of each?
- Using your recommended system of measurement, what should the dividing line for each tier be?
- What is the subcommittee's recommendation regarding requirements for record keeping by marijuana establishments and procedures to track marijuana cultivated, processed, manufactured, delivered or sold by marijuana establishments?
- What are the subcommittee's recommendations regarding minimum standards for the requirement that all licensees possess and operate an interoperable publicly available application programming interface seed-to-sale tracking system sufficient to ensure the appropriate track and trace of all marijuana cultivated, processed or manufactured pursuant to this chapter?



Social Consumption Recommendations



- What limits should be placed on consumption per individual? How would such limits be monitored?
- What routes of delivery/ types of consumption should be allowed on-site? Is smoking allowed, how do you protect employees from secondhand smoke?
- What should municipalities' role be in governing social consumption? Should it be narrower, broader, or the same as the ability to regulate time/location/manner of operations that municipalities have over other marijuana establishments?
- What elements should be considered at local level versus state level?



Social Consumption Establishments, contd.



- What are the minimum essential components of social consumption regulations that need to be addressed initially in order to have a functioning program, and what are the components that could be addressed in the future?
- What types of existing establishments and businesses should be considered for on-site consumption licenses? (E.g., only marijuana establishments or other businesses, such as yoga, salons, spas, private social clubs)



Packaging



- Does the subcommittee have recommendations for the requirements for the packaging of marijuana and marijuana products that are required, under the law to, at a minimum:
 - Require most current consumer product safety commission standards, set forth in 16 C.F.R. 1700 et seq.;
 - protect children from accidentally ingesting marijuana or marijuana products, including by making packaging certified child-resistant and resealable;
 - require the division of each serving within a package containing multiple servings in a manner that allows consumers and card holders to easily identify a single serving;
 - prohibit the use of bright colors, cartoon characters and other features designed to appeal to minors;
 - ensure that packaging is opaque or plain in design;
 - limit each serving size to no greater than 10 milligrams of delta-nine-tetrahydrocannabinol (Δ^9 -THC); and
 - prohibit any packaging that imitates or has a semblance to any existing branded consumer products, including foods and beverages, that do not contain marijuana



Packaging, continued



- Does the subcommittee have recommendations regarding the requirements for the labeling of a package containing marijuana or marijuana products that shall, under the law, at a minimum, include:
 - a symbol or easily recognizable mark issued by the commission that indicates the package contains marijuana or a marijuana product;
 - a symbol or other easily recognizable mark issued by the commission on the package indicating to children that the product is harmful to children;
 - the name and contact information of the marijuana cultivator or the marijuana product manufacturer who produced the marijuana or marijuana product;
 - the results of sampling, testing and analysis conducted by a licensed independent testing laboratory;



Packaging, continued



- Does the subcommittee have recommendations regarding the requirements for the labeling of a package containing marijuana or marijuana products that shall, under the law, at a minimum, include:
 - a seal certifying the marijuana meets such testing standards;
 - a unique batch number identifying the production batch associated with manufacturing, processing, and cultivating;
 - a list of ingredients and possible allergens;
 - the amount of delta-nine-tetrahydrocannabinol (Δ 9-THC) in the package and in each serving of a marijuana product as expressed in absolute terms and as a percentage of volume;
 - the number of servings in a package if there are multiple servings;
 - a use-by date: when is the use by date applicable and how is it determined?



Proposed Sub-Committee Assignments



Licensing, Registration, and Manufacturing

- **Jaime Lewis**
- Ray Berry
- Mary Ann Pesce
- Kim Napoli

Seed-to-Sale Tracking and Tier Measurement

- **John Lebeaux**
- Michael Dundas
- Lydia Sisson

Social Consumptions Recommendations

- **Michael Latulippe**
- Horace Small

Packaging

- **Shanel Lindsay**
- Norton Arbeláez



Contact Information



- **Christopher Harding:** hardingch@dor.state.ma.us (Chair)
- **Rachel Scannell:** scannellr@dor.state.ma.us (General questions)
- **David Berch:** berchd@dor.state.ma.us (Minutes, Public Comments)
- **Marikae Toye:** toyem@dor.state.ma.us (Legal research, Other States)
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